

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

John P. Helgeson, et al

Application No. 09/463,510

Filed: January 24, 2000

For: Germplasm and Molecular Markers for  
Disease Resistance in Potato



529 Rec'd PCT/PTO 26 JUN 2000

#3

Petition for Extension Under 37 CFR §1.136(a)

The undersigned hereby petitions for an extension of time of two (2) months beyond the time period set in the last office communication. The proper fee under 37 CFR §1.17 is enclosed.

Janet E. Reed, Ph.D.

Certificate of Mailing Under 37 CFR §1.8 (a)

I hereby certify that this correspondence is being deposited on 6/22/00 with the United States Postal Service as first class mail in an envelope addressed to COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, D.C. 20231

6/22/00  
Date of Deposit

Felecia J. Williams

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS OF APPLICATION

In response to the "Notification of Missing Requirements under 35 U.S.C. 371" dated March 31, 2000, a response to which is due April 30, 2000, enclosed herewith for filing is:

- (X) The original Combined Declaration and Power of Attorney executed by the inventor(s).
- (X) A check in the amount of \$ 380.00 is attached to cover the fee for the Petition for Extension of time under 37 C.F.R. §1.136(a)

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1089.

A duplicate copy of this sheet is enclosed, together with a duplicate copy of the Notice to File Missing Requirements.

07/03/2000 PVULPE 00000171 09463510

01 FC:116

380.00 DP

Respectfully submitted,  
SAUL EWING REMICK & SAUL LLP

By:   
Janet E. Reed, Ph.D.  
Registration No. 36,252

Telephone (215) 972-8386  
Facsimile (215) 972-2292



13238-00047 PL

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/463510	HELGESON	J WARF H108

JANET E REED  
DANN DORFMAN HERRELL AND SKILLMAN  
1601 MARKET STREET  
SUITE 720  
PHILADELPHIA, PA 19103

INTERNATIONAL APPLICATION NO.	
PCT/US98/15910	
I.A. FILING DATE	PRIORITY DATE
27 JUL 98	30 JUL 97
DATE MAILED: 31 MAR 2000	

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
- ☐ a non-English language.  
☒ English.
- ☒ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.
- ☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed \_\_\_\_\_.
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☐ Copy of the International Search Report ☐ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Shelby J. Vigil

Telephone: 703-305-3653